

REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Claims 1-16 are pending in the application. Claims 1-9 are withdrawn from consideration.

In item 1 on page 2 of the above-identified Office action, claims 10, 11, and 16 have been rejected as being unpatentable over Forbes et al. (U.S. Patent No. 6,448,601) in view of Fitch et al. (U.S. Patent No. 5,554,870) and further in view of Burns et al. (U.S. Patent No. 6,077,745) under 35 U.S.C. § 103.

As will be explained below, it is believed that the claims were patentable over the cited art in their original form and the claims have, therefore, not been amended to overcome the references.

A certified copy of German priority application Serial No. DE 199 33 564.8 has been filed on March 26, 2002. In order to perfect the claim for priority, a certified translation of the German priority application (Serial No. 199 33 564.8) is submitted herewith. A copy of the international preliminary examination report (form PCT/IPEA/409 and form PCT/IPEA/416) is also included in order to show that the PCT application was copending at the time when the instant U.S. application was filed.

The patent to Forbes et al. (U.S. Patent No. 6,448,601) has a filing date of February 9, 2001, which is after the priority date of July 16, 1999 for the instant application. The patent to Forbes et al. (U.S. Patent No. 6,448,601) is therefore no longer available as a prior art document.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claim 10. Claim 10 is, therefore, believed to be patentable over the art and since all of the dependent claims are ultimately dependent on claim 1, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 10-16 are solicited.

Please charge any fees which might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Respectfully submitted,

Manfred Beck

For Applicants

MANFRED BECK  
REG. NO. 45,342

MB:cgm

July 7, 2003

Lerner and Greenberg, P.A.  
Post Office Box 2480  
Hollywood, FL 33022-2480  
Tel: (954) 925-1100  
Fax: (954) 925-1101